

REMARKS

Claims 1-14 are currently pending in this application, with Claims 1 and 7 being the independent claims. Claims 7 and 9 are rejected under 35 U.S.C. §102(b) as being anticipated by Igarashi (U.S. Pub. 2001/0053694). Claims 1, 2, 4 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Igarashi. Claims 3, 5, 11 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Igarashi in view of Wilkinson (U.S. 6,907,225). Claims 6, 8, and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Igarashi in view of Vanttila et al. (U.S. 5,794,142).

Claim 1 has amended herein to further clarify that the steps of the method are performed by the mobile terminal.

Independent Claim 7 recites, in part, a mobile communication terminal for differentially implementing at least one function according to a class of a user, comprising a memory for storing at least one preset condition for selecting the at least one function in order to differentially implement the at least one function according to the class of the user; and a control section for activating the at least one function available to the user when the at least one function available to the user when the at least one condition stored in the memory is met.

Igarashi teaches a network system, which provides each terminal user with differentiated service, and dynamically changes service profiles, where the control and logic is provided through network servers of the home service provider.

According to the Examiner, Igarashi teaches all elements of the above-recited part of Claim 7. The Examiner identifies pertinent sections of Igarashi, which he asserts teaches a memory and a control section, where the memory is taught by a service control database and the control section is taught by an authorization controller. However, Fig. 4 cited in Par. 0092 shows the service control database to be part of a service provider (home network). Fig. 33 cited in Par. 0181 and 0182 shows the authorization controller 23 to be part of the (AAAH) 20, which is part

of the home server of the home network. None of these elements cited by the Examiner are part of the mobile terminal as recited in Claim 7.

Independent Claim 1, as amended, recites a method for differentially implementing functions of a mobile communication terminal according to a class of a user, comprising the steps by the mobile terminal of: setting at least one condition for selecting at least one function in order to differentially implement the at least one function according to the class of the user; activating a menu for selecting the at least one function available to the user when the at least one preset condition is met; informing the user of a change in the at least one function available to the user after a change of the user's class; and applying the change in the at least one function available to the user to the mobile communication terminal.

The Examiner asserts that Claim 1 is unpatentable over Igarashi, relying on the network to teach all the functions.

Claim 1, as amended, recites action steps being performed by the mobile terminal, similarly to the application of the apparatus recitation of Claim 7 applying to the mobile terminal and not to performance by a system outside the mobile terminal. Figs. 1 and 3 of the present application show that the mobile service provider 200 (network) provides information about a change in user class. The mobile service provider does not provide a control function that determines whether a particular service is provided to an individual user. The mobile terminal stores information about functions available according to the class of the user in order to provide the user with differentiated functions.

Igarashi, on the other hand, teaches not just class information being determined by the network, but that the network makes the decisions as to whether differentiated services are to be provided. The authorization controller first retrieves the service profile of the user from the service control database. It determines whether to provide, or not to provide, the user with each service (Par. 00980). The authorization controller 24 and the service control database 10 are not part of the mobile terminal, but are components of the network (See Fig. 10). Consequently,

Igarashi does not teach setting at least one condition for selecting at least one function in order to differentially implement the at least one function according to the class of the user. Similarly, the activating, informing and applying steps of Claim 1 are not performed by the mobile terminal in Igarashi, but by the network.

Because a memory and a control section within the mobile terminal as recited in Claim 7 are not taught by Igarashi, Claim 7 is not anticipated by Igarashi. Because the steps of setting, activating, informing and applying are not performed by the mobile terminal as recited in Claim 1, Claim 1 is patentably distinct from Igarashi.

Wilkinson teaches a method and system for selectively capturing content and delivering the captured content to mobile communications devices via wireless communications. Similar to Igarashi, the network server in Wilkinson makes the decisions about what services to provide to the users and therefore, will not remedy the shortcomings of Igarashi.

Vanttila teaches a mobile terminal having network services activation through the use of point-to-point short message service (SMS). Initially, the mobile terminal requests activation of the network function. The network sends an SMS to the mobile terminal. The mobile terminal receives the SMS message; and activates a network service function that is specified in the received SMS message. Because the network determines the function, Vanttila will not remedy the shortcomings of Igarashi.

For the above cited reasons Claims 1 is patentably distinct from Igarashi and Claim 7 is not anticipated by Igarashi. While not conceding the patentability, per se, of the dependent claims, Claims 2-6 and 8-14 are also patentably distinct for at least the above-described reasons.

Accordingly, it is believed that Claims 1-14 are in condition for allowance. It is respectfully requested that the rejections of Claims 1-14 be withdrawn and the Claims 1-14 be allowed. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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